

1 THE HONORABLE JOHN C. COUGHENOUR

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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 GYM LAUNCH SECRETS LLC,

CASE NO. C17-1773-JCC

10 Plaintiff,

ORDER

11 v.

12 TATE NORRIS,

13 Defendant.  
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15 This matter comes before the Court on Plaintiff's motion for service by publication (Dkt.  
16 No. 9). Having thoroughly considered the motion and supporting declarations of David Fryman  
17 (Dkt. No. 10) and Amanda Owen (Dkt. No. 11), the Court hereby GRANTS the motion for the  
18 reasons stated herein.

19 Federal Rule 4(e) provides, in relevant part,

20 "[S]ervice upon an individual from whom a waiver has not been obtained . . . may  
21 be effected in any judicial district of the United States . . . pursuant to the law of  
22 the state in which the district court is located, or in which service is effected, for  
23 the service of a summons upon the defendant in an action brought in the courts of  
general jurisdiction of the State."

24 Fed. R. Civ. P. 4(e)(1). The Federal Rules of Civil Procedure thus allow service by a method  
25 authorized by Washington law where an action is brought in a federal court in Washington.  
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1 Washington law authorizes service by publication when Defendant is a resident of the  
2 state, but “has departed therefrom with intent to defraud his or her creditors, or to avoid the  
3 service of summons, or keeps . . . himself concealed therein with like intent.” Wash. Rev. Code  
4 § 4.28.100(2). The Court finds the requirements for service by publication met based on the  
5 Declarations of David Fryman and Amanda Owen, which outline numerous unsuccessful  
6 attempts to locate and serve Defendant.

7 Plaintiff’s motion for service by publication (Dkt. No. 9) is GRANTED. Plaintiff may  
8 affect publication by posting a copy of the summons and complaint to Defendant’s social media  
9 accounts, as requested, in addition to publication complying with Revised Code of Washington  
10 section 4.28.110.

11 DATED this 5th day of February 2018.

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15 John C. Coughenour  
16 UNITED STATES DISTRICT JUDGE  
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